

No.

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2024-2025

MARK TOMAS REGAN,
Petitioner,

-v.-

COMMONWEALTH OF MASSACHUSETTS
Respondent

ON PETITION FOR WRIT OF CERTIORARI TO
THE APPEALS COURT OF
THE COMMONWEALTH OF MASSACHUSETTS

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to the provisions of Rule 39, the petitioner, Mark Tomas Regan, asks leave to file the accompanying petition for writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. The petitioner has been represented in the instant matter by counsel appointed by the Massachusetts Committee for Public Counsel Services (“CPCS”) pursuant to *Mass. Gen. L. c. 211D, §§ 5 and 6(b)*, based on a determination of the petitioner’s indigence. The CPCS Notice of Assignment of Counsel indicating petitioner’s indigence is attached.

January 13, 2025

David H. Mirsky
David H. Mirsky, Esquire
(MA B.B.O. # 559367)
Counsel of Record for Petitioner
Mirsky & Petito, Attorneys at Law
P.O. Box 1063
Exeter, NH 03833
Tel.: 603-580-2132
dmirsky@comcast.net



**Committee for Public Counsel Services
Private Counsel Division**

75 Federal Street, 6th Floor, Boston, MA 02110
Tel: (617) 482-6212 – Fax: (617) 988-8455

ANTHONY J. BENEDETTI
CHIEF COUNSEL

ROSE KING
ACTING DEPUTY CHIEF COUNSEL

ELIZABETH DEMBITZER
DIRECTOR OF CRIMINAL APPEALS

To: Attorney Joanne Petito
Re: Commonwealth v Regan
Suffolk Superior Court; 1484CR10420

December 23, 2024

Dear Attorney Petito,

You have been authorized and assigned to file a Cert Petition. Your Notice of Assignment of Counsel (NAC) has been issued electronically and should appear in your eBill account.

Please remember you must meet with your client at least once after you have reviewed the transcripts and that you should forward a copy of the Cert. Petition to this office upon filing.

You should not withdraw from this case without first conferring with Elizabeth Dembitzer, Director of Criminal Appeals, Private Counsel Division.

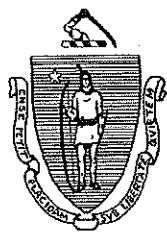
Please review and adhere to all Performance Standards Governing the Representation of Clients in Criminal Appeals and Post-Conviction Matters, as set forth in the CPCS Assigned Counsel manual which can be found at: <https://www.publiccounsel.net/assigned-counsel-manual/>

If you have any questions regarding this assignment, please contact Dorothy Mele at
dmele@publiccounsel.net

Sincerely,

Dolly Mele
Assignment Coordinator
Committee for Public Counsel Services
Criminal Appeals-Private Counsel Division

DAM/mr via electronic transmission



The Commonwealth of Massachusetts
Committee for Public Counsel Services
44 Bromfield Street, Boston, MA 02108-4909

TEL: (617) 482-6212
FAX: (617) 988-8493

ANTHONY J. BENEDETTI
CHIEF COUNSEL

VANESSA VELEZ
DEPUTY CHIEF COUNSEL
PRIVATE COUNSEL DIVISION

July 22, 2019

Joanne Petito
P.O. Box 1063
Exeter, NH 03833

RE: Commonwealth v. Mark Tomas Regan, W112916
Suffolk Superior Court No(s). 1484CR10420

Dear Attorney:

Enclosed is the Notice of Assignment of Counsel form for your post-conviction assignment. Please file your appearance in the appropriate court immediately and contact the client as soon as possible. You must also meet with your client at least once after you have reviewed the transcript.

You should not withdraw from this case without first conferring with Donald Bronstein, Director of Criminal Appeals, Private Counsel Division. Please forward a copy of the brief to this office upon filing.

If you wish to pursue a Rule 30 motion for new trial, or any other collateral attack where there is no automatic right to counsel, you must first obtain approval, by letter or phone, from Donald Bronstein, Director of Criminal Appeals.

If your client is not a U.S. citizen and there is a possibility that he could be deported as a result of this conviction, it is imperative that you contact the CPCs Immigration Impact Unit at iiu@publiccounsel.net or 617-623-0591.

Please review and adhere to all Performance Standards Governing the Representation of Clients on Criminal Appeals and Post-Conviction Matters, as set forth in CPCs' Assigned Counsel Manual which can be found at http://www.publiccounsel.net/private_counsel_manual/private_counsel_manual_index.html.

If you have any questions regarding your assignment, please contact me at the above number.

Sincerely,

Dorothy Mele
Assignment Coordinator

NOTICE OF ASSIGNMENT OF COUNSEL		Assignment Number	COMMONWEALTH OF MASSACHUSETTS	
		C8035555-3		
Date of Assignment	Judge	Court	481	Jury Session <input type="checkbox"/>
7/22/2019	CPCS	Suffolk Superior Court		

Name of Person for whom counsel assigned	The court has found the above-named person		
Mark Tomas Regan, W112916			
Juv/Adult	<input checked="" type="checkbox"/> Indigent		
Docket No.	<input checked="" type="checkbox"/> Contribution		
1484CR10420			
	Incarceration Status		
	MCI Cedar Junction		

Post-Trial Criminal Case Purpose Of Assignment

Direct

Offense / Charge	Trial Court
602 Murder II	Suffolk Superior Court
700 Poss. Firearm w/o ID	
702 Carrying FA w/o Lic.	

Attorney Assigned

BBO	559773
Name	Joanne Petito
Address	P.O. Box 1063
	Exeter, NH 03833
Phone	(603) 580-2132

Authorized Signature:

Dorothy A. Mele